

104TH CONGRESS
1ST SESSION

S. 285

To grant authority to provide social services block grants directly to Indian tribes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26 (legislative day, JANUARY 10), 1995

Mr. MCCAIN (for himself, Mr. INOUE, Mr. CAMPBELL, Mr. SIMON, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To grant authority to provide social services block grants directly to Indian tribes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AUTHORITY TO PROVIDE SOCIAL SERVICES**

4 **BLOCK GRANTS DIRECTLY TO INDIAN**
5 **TRIBES.**

6 (a) IN GENERAL.—Section 2003 of the Social Secu-
7 rity Act (42 U.S.C. 1397b) is amended—

8 (1) in subsection (a), by striking “and the
9 Northern Mariana Islands” the first place it appears
10 and inserting “the Northern Mariana Islands, and

1 any participating Indian tribe or tribal organization,
2 as defined in subsection (e)(3),”;

3 (2) in subsection (b), by striking “and the
4 Northern Mariana Islands” each place it appears
5 and inserting “the Northern Mariana Islands, and
6 any participating Indian tribe or tribal organization,
7 as defined in subsection (e)(3),”; and

8 (3) by adding at the end the following new sub-
9 sections:

10 “(d)(1) Of the amounts specified in subsection (c),
11 3 percent shall be available for grants made or contracts
12 entered into with Indian tribes or tribal organizations in
13 accordance with this subsection.

14 “(2) The Secretary shall make grants to or enter into
15 contracts with Indian tribes or tribal organizations for
16 planning and carrying out programs and activities under
17 this title.

18 “(3) The Secretary shall establish criteria for the re-
19 view and approval of applications for grants or contracts
20 under this subsection.

21 “(4)(A) Not later than 180 days after the date of
22 enactment of this subsection, the Secretary, with the full
23 participation of Indian tribes and tribal organizations,
24 shall establish and promulgate by regulation, a base fund-
25 ing formula similar to the formula established under sec-

1 tion 658O of the Child Care and Development Block
2 Grant Act of 1990 (42 U.S.C. 9858M).

3 “(B) In developing the funding formula, the Sec-
4 retary may consider such additional factors as the Sec-
5 retary determines appropriate, including unique geo-
6 graphic and demographic conditions of the tribal reserva-
7 tion and service area.

8 “(5) Funds that are not distributed to Indian tribes
9 and tribal organizations during a fiscal year shall be avail-
10 able in subsequent fiscal years for reallocation to eligible
11 tribes and tribal organizations.

12 “(6) In any case in which a contract is entered into
13 or grant made to a tribal organization to perform services
14 benefiting more than one Indian tribe, the approval of
15 each such Indian tribe shall be a prerequisite to entering
16 into the contract or making the grant.

17 “(7) Nothing in this subsection shall be construed
18 to—

19 “(A) serve as an authorization to limit the eligi-
20 bility of any individual to participate in any program
21 offered by a State or subdivision thereof;

22 “(B) modify any requirement imposed upon a
23 State by any provision in this title; or

24 “(C) preclude or discourage an agreement be-
25 tween any Indian tribe and any State that facilitates

1 the provision of services by the Indian tribe to the
2 service population of the Indian tribe.

3 “(e) For purposes of this section—

4 “(1) the term ‘Indian tribe’ means any Indian
5 tribe, band, nation, or other organized group or com-
6 munity, including any Alaska Native village or re-
7 gional or village corporation as defined in or estab-
8 lished pursuant to the Alaska Native Claims Settle-
9 ment Act (43 U.S.C. 1601 et seq.) which is recog-
10 nized as eligible for the special programs and serv-
11 ices provided by the United States to Indians be-
12 cause of their status as Indians;

13 “(2) the term ‘tribal organization’ means—

14 “(A) the recognized governing body of any
15 Indian tribe; and

16 “(B) any legally established organization
17 of Indians which is controlled, sanctioned, or
18 chartered by such governing body or which is
19 democratically elected by the adult members of
20 the Indian community to be served by such or-
21 ganization and which includes the maximum
22 participation of Indians in all phases of its
23 activities; and

24 “(3) the term ‘participating Indian tribe or
25 tribal organization’ means an Indian tribe or tribal

1 organization that receives a grant or enters into a
2 contract under subsection (d).”.

3 (b) CONFORMING AMENDMENT.—The fifth sentence
4 of section 1101(a)(1) of such Act (42 U.S.C. 1301(a)(1))
5 is amended by striking “and the Northern Mariana Is-
6 lands” and inserting “the Northern Mariana Islands, and
7 any participating Indian tribe or tribal organization, as
8 such term is defined in section 2003(e)(3)”.

9 **SEC. 2. EFFECTIVE DATE.**

10 The amendments made by section 1 shall take effect
11 on the first day of the first fiscal year beginning after the
12 date of enactment of this Act.

○